

**REMARKS**

This Application has been carefully reviewed in light of the Office Action mailed October 19, 2004. Claims 1-40 are pending in the Application. To advance prosecution, Applicant amends Claims 1, 2, 17, 21, 23-25, 30-32, 37, and 38 and adds new Claim 41. These amendments are consistent with amendments discussed with the Examiner in a telephone interview, which is described in more detail below. Applicant respectfully submits that these amendments are fully supported by the specification as originally filed. Applicant respectfully requests reconsideration and favorable action in this case.

**Allowable Subject Matter**

Applicant notes with appreciation the Examiner's allowance of Claims 11-16 and the indication that Claims 8, 9, and 21 would be allowable if rewritten in independent form. Applicant does not amend Claims 11-16. Therefore, Claims 11-16 remain in condition for allowance. Applicant elects not to rewrite Claims 8, 9, and 21 in independent form at this time.

**Interview Summary**

Applicant's attorney, Mr. Barton E. Showalter (Reg. No. 38,302), conducted a telephone interview with Examiner Cameron Saadat on November 12, 2004. Applicant thanks the Examiner for the courtesy and opportunity to conduct the telephone interview. Applicant submits this summary of the telephone interview to record Applicant's understanding of the substance of the interview and to comply with M.P.E.P. § 713.04.

During the interview, the Examiner and Applicant's attorney discussed the Examiner's rejection of the claims. The Examiner and Applicant's attorney discussed the Examiner's view of the prior art and possible amendments to the claims. The Examiner and Applicant's attorney agreed that the current amendments appear to distinguish the claims over U.S. Patent No. 5,823,788, which issued to Lemelson et al. ("Lemelson"), and U.S. Patent No. 5,002,491, which issued to Abrahamson et al. ("Abrahamson").

**Section 102 Rejections**

The Examiner rejects Claims 37-39 under 35 U.S.C. § 102(b) as being anticipated by *Lemelson*. To anticipate a claim, a single prior art reference must describe, either expressly or inherently, each and every element of the claim. M.P.E.P. § 2131.

Applicant's independent Claim 37, as amended, recites:

A graphical user interface, comprising:  
a plurality of sections on a common display simultaneously viewable by users of a plurality of remote units, each section corresponding to one of the remote units, each section displaying:  
    a first portion displaying a remote unit identifier identifying the remote unit corresponding to the section; and  
    a second portion displaying a question identifier identifying a particular one of a plurality of questions; and  
    a visual indication operable to be displayed in a selected section of the common display when a message is received by a base station from a selected remote unit corresponding to the selected section, wherein the message comprises a response to the question identified by the question identifier and a user of the selected remote unit is allowed to progress through a plurality of questions independently with respect to users of other remote units by viewing the section of the common display associated with the selected remote unit used by the user.

Applicant respectfully submits that *Lemelson* fails to describe, either expressly or inherently, various elements of this Claim.

Among other aspects of independent Claim 37, Applicant respectfully submits that *Lemelson* fails to describe, either expressly or inherently:

wherein. . . a user of the selected remote unit is allowed to progress through a plurality of questions independently with respect to users of other remote units by viewing the section of the common display associated with the selected remote unit used by the user.

For at least this reason, Applicant respectfully submits that *Lemelson* fails to describe, either expressly or inherently, each and every element of independent Claim 37. Claims 38 and 39 depend from and therefore incorporate the elements of independent Claim 37. Therefore, for at least this reason, Applicant respectfully requests reconsideration and withdrawal of the rejection of Claims 37-39.

**Section 103 Rejections**

The Examiner rejects various claims under 35 U.S.C. § 103(a). To establish obviousness of a claimed invention under § 103, all claim elements must be taught or suggested by the prior art. M.P.E.P. § 2143.03.

**Claims 1-7, 10, 17-20, and 22**

The Examiner rejects Claims 1-7, 10, 17-20, and 22 under 35 U.S.C. § 103(a) as being unpatentable over *Abrahamson* in view of U.S. Patent No. 5,736,984, which issued to Jellinek et al. ("Jellinek").

Applicant's independent Claim 1, as amended, recites:

A method for communicating in an education environment, comprising:

determining a current question from a plurality of questions, the current question having a plurality of possible answers;

receiving from one of a plurality of remote units a message comprising a remote unit identifier and a current response;

determining that the current response is valid if the current response corresponds to any of the possible answers for the current question;

if the current response is valid, visually indicating to a user of the remote unit that the current response is valid; and

if the current response is not valid, visually indicating to the user of the remote unit that the current response is not valid;

wherein the user of the remote unit is allowed to progress through the questions independently with respect to users of other remote units by viewing a section of a common display, the section associated with the remote unit used by the user and the common display simultaneously viewable by all users of the remote units.

Applicant respectfully submits that *Abrahamson* in view of *Jellinek* fails to teach or suggest various elements of this Claim.

Among other aspects of independent Claim 1, Applicant respectfully submits that *Abrahamson* in view of *Jellinek* fails to teach or suggest:

wherein the user of the remote unit is allowed to progress through the questions independently with respect to users of other remote units by viewing a section of a common display, the section associated with the remote unit used by the

user and the common display simultaneously viewable by all users of the remote units.

For at least this reason, Applicant respectfully submits that *Abrahamson* in view of *Jellinek* fails to teach or suggest every element of independent Claim 1. For analogous reasons, Applicant respectfully submits that *Abrahamson* in view of *Jellinek* fails to teach or suggest every element of independent Claim 17. Claims 2-7 and 10 depend from and therefore incorporate the elements of independent Claim 1. Claims 18-20 and 22 depend from and therefore incorporate the elements of independent Claim 17. Thus, for at least these reasons, Applicant respectfully requests the Examiner to reconsider and withdraw the rejection of Claims 1-7, 10, 17-20, and 22.

**Claims 23-26, 28-33, 35, and 36**

The Examiner rejects Claims 23-26, 28-33, 35, and 36 under 35 U.S.C. § 103(a) as being unpatentable over *Lemelson* in view of U.S. Patent No. 6,302,698, which issued to Ziv-El (“Ziv-EL”).

Applicant’s independent Claim 23, as amended, recites:

A method for communicating in an education environment, comprising:

displaying a plurality of sections on a common display simultaneously viewable by all of the users of the remote units, each one of the sections associated with one of a plurality of remote units;

receiving from a selected remote unit a message comprising a remote unit identifier for the selected remote unit and a current response to a question, the question having a plurality of possible responses; and

in response to receiving the current response from the selected remote unit, displaying a visual indication in the section corresponding to the selected remote unit, the visual indication indicating whether the current response corresponds to a previous response to the question received from the selected remote unit;

wherein a user of the selected remote unit is allowed to progress through a plurality of questions independently with respect to users of other remote units by viewing the section of the common display associated with the selected remote unit used by the user.

Applicant respectfully submits that *Lemelson* in view of *Ziv-El* fails to teach or suggest various elements of this Claim.

Among other aspects of independent Claim 23, Applicant respectfully submits that *Lemelson* in view of *Ziv-El* fails to teach or suggest:

wherein a user of the selected remote unit is allowed to progress through a plurality of questions independently with respect to users of other remote units by viewing the section of the common display associated with the selected remote unit used by the user.

For at least this reason, Applicant respectfully submits that *Lemelson* in view of *Ziv-El* fails to teach or suggest every element of independent Claim 23. For analogous reasons, Applicant respectfully submits that *Lemelson* in view of *Ziv-El* fails to teach or suggest every element of independent Claim 30. Claims 24-26, 28, and 29 depend from and therefore incorporate the elements of independent Claim 23. Claims 31-33, 35, and 36 depend from and therefore incorporate the elements of independent Claim 30. Thus, for at least these reasons, Applicant respectfully requests the Examiner to reconsider and withdraw the rejection of Claims 23-26, 28-33, 35, and 36.

#### **Claim 40**

The Examiner rejects Claim 40 under 35 U.S.C. § 103(a) as being unpatentable over *Lemelson* in view of *Ziv-El*. Claim 40 depends from independent Claim 37 shown above to be patentable over *Lemelson*. The introduction of *Ziv-El* fails to provide the elements of independent Claim 37 not shown by *Lemelson*. Thus, for at least these reasons, Applicant respectfully requests the Examiner to reconsider and withdraw the rejection of Claim 40.

#### **Claims 27 and 34**

The Examiner rejects Claims 27 and 34 under 35 U.S.C. § 103(a) as being unpatentable over *Lemelson* in view of *Ziv-El* and U.S. Patent No. 6,112,049, which issued to Sonnenfeld (“*Sonnenfeld*”). Claims 27 and 34 depend from independent Claims 23 and 30, both of which are shown above to be patentable over *Lemelson* in view of *Ziv-El*. The introduction of *Sonnenfeld* fails to provide the elements of independent Claims 23 and 30 not shown by *Lemelson* in view of *Ziv-El*. Thus, for at least these reasons, Applicant respectfully requests the Examiner to reconsider and withdraw the rejection of Claims 27 and 34.

**New Claim**

Applicant adds new Claim 41, which is fully supported by the specification as originally filed. Claim 41 depends from and therefore incorporates the elements of independent Claim 17, which is shown above to be allowable over *Abrahamson* in view of *Jellinek*. Thus, for at least this reason, Applicant respectfully requests the Examiner to consider and allow dependent Claim 41.

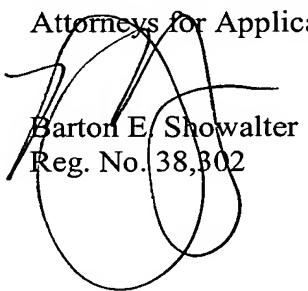
**Conclusions**

Applicant has made an earnest attempt to place this case in condition for allowance. For the foregoing reasons, and for other reasons clearly apparent, Applicant respectfully requests full allowance of all pending claims. If the Examiner feels that a telephone conference or an interview would advance prosecution of this Application in any manner, the undersigned attorney for Applicant stands ready to conduct such a conference at the convenience of the Examiner.

Applicant encloses a check in the amount of \$18.00 to cover the fee required for filing one additional dependent claim. The Commissioner is hereby authorized to charge any outstanding fees or credit any overpayment to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

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